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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 04th August, 2026

CNR No. DLHC010234572026

+ **CRL.M.C. 4136/2026**

YOGESH VATS

.....Petitioner

Through: **Mr. Archit Kaushik & Mr. Bramhansh
Bharadwaj, Advs with petitioner.**

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: **Mr. Sunil Kumar Gautam, APP with
SI Gaurav.**

**Mr. Neeraj Dahiya and Mr. Neeraj
Kumar, Advocates for complainant.**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The next date before the learned Trial Court is stated to be 27.10.2026.
2. The petitioner herein takes exception to order dated 13.05.2026 passed by learned Trial Court whereby his request seeking permission to travel abroad and for release of his passport has been turned down.
3. The petitioner is seeking permission to travel to Ottawa, Canada as he wants to join an employment with *Connect Mandarin*. He has been offered position as “*Junior System Administrator*” pursuant to offer letter dated 17.04.2026.
4. Petitioner herein was granted bail on 17.02.2020.
5. As per the abovesaid order, he was directed not to leave jurisdiction of NCT of Delhi, without prior permission from the concerned Court.
6. During pendency of the abovesaid matter, the concerned complainant filed an application seeking seizure of the passport of the petitioner and the learned Trial Court issued an order directing him not to leave the country without prior permission of the Court.



7. Such condition was mallowed down by this Court *vide* order dated 04.11.2024 whereby he was granted liberty to approach learned Trial Court for seeking permission to travel aboard for the purposes of completing his education.

8. Undoubtedly, on one previous occasion, when the petitioner had been able to secure admission in Sheridan College, Ontario, Canada and wanted to pursue his further studies, he was granted permission by this Court to travel abroad to pursue his such further studies in the abovesaid college and the passport was directed to be released to him with the following conditions:-

- “a. the petitioner shall furnish an undertaking before the learned Trial Court providing the month of his completion of studies in Sheridan College, Ontario, Canada and the month of his return to India; The petitioner shall also undertake that he shall return on completion of his course;*
- b. the petitioner shall also deposit his passport before the learned Trial Court upon his return*
- c. the petitioner shall deposit an FDR in the sum of Rs.2,00,000/- with the learned Trial Court which shall be released upon his return to India;*
- d. the petitioner shall provide his mobile number and the address of Canada where he resides by way of an affidavit to the learned trial court;*
- e. the petitioner shall appear through VC during his stay in Canada as and when directed by the learned Trial Court.”*

9. While granting such permission, learned Coordinate Bench of this Court, also took note of the fact that the FIR was lodged on the account of dispute between landlord and tenant and that the petitioner had his entire future and career ahead. It was also recorded that the petitioner had already expressed remorse for his action.

10. Admittedly, there was never any non-compliance of the abovesaid conditions and after completing his abovesaid course, the petitioner came back to India.

11. The case in question is at the stage of prosecution evidence.



12. Learned counsel for widow of respondent No.2 Mange Lal Chaudhary has joined the proceedings through *video conferencing* and leaves it to this Court to pass appropriate order. He, however, prays that the stringent conditions may be imposed to ensure that there is no delay in the ongoing trial and petitioner may also be, categorically, directed to attend the Court dates, unless, he does not dispute his identity and is duly represented by his Counsel.

13. Learned counsel for petitioner submits that petitioner has taken adequate care to protect the rights and interest of prosecution as well as concerned complainant Party and that he would appear before the learned Trial Court through *video conferencing* on the given dates and his counsel would also represent him before the learned Trial Court. He also submits that he would not dispute his identity and would have no objection to his participation in the ongoing trial through *video conferencing*. He also submits that if there is any special reason requiring his physical appearance before the Court, he would appear before the Concerned Court physically.

14. He also seeks liberty to submit FDRs worth Rs. 5,02,697/- as a security while also undertaking that in the event of its failure to comply with any direction, such FDRs may be forfeited. His sister Ms. Sakshi is co-accused and her passport is already with the Investigating Officer and it is submitted that his sister would not seek return of her passport as long as he is in Canada in relation to the abovesaid employment.

15. An affidavit of undertaking in this regard has been prepared. Copy thereof is retained on record.

16. Its copy has also been shared with the learned APP for the State and learned Counsel for complainant.



17. The petitioner has been granted *work visa* which would expire on 31.12.2027.
18. Considering all the facts and circumstances, the petition is allowed and petitioner is permitted to travel abroad to take up the abovesaid job with the following conditions:-
- I. Original affidavit of undertaking shall be submitted before the learned Trial Court.
 - II. The FDRs of the abovesaid amount, in original, shall also be submitted before the learned Trial Court.
 - III. The petitioner would also provide his mobile number and address of Canada, where he would be staying during the abovesaid period of his employment.
 - IV. On his furnishing the abovesaid affidavit before the learned Trial Court and furnishing the mobile number and the proposed address of Canada, learned Trial Court would release his passport to him.
19. Needless to say, the petitioner would abide by the terms and conditions as given in affidavit.
20. The copy of this order, along with the copy of affidavit and FDRs, be sent to learned Trial Court for information and further requisite action.
21. Petition stands disposed of in aforesaid terms.
22. A copy of this order be given *dasti* under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

AUGUST 4, 2026/sw/sy